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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Pacific Bell Telephone Company (U 1001 C) for Authority Pursuant to Public Utilities Code Section 851 to Lease Space in Administrative Buildings and Central Offices and to Transfer Assets to SBC Advanced Solutions, Inc.

Application 00-01-023

MOTION OF PACIFIC BELL (U 1001 C) CONCERNING THE STATUS OF ITS APPLICATION AND PROPOSING FURTHER PROCEDURAL STEPS

Pacific Bell Telephone Company ("Pacific") files this Motion pursuant to Ordering Paragraph 2 of the March 9, 2001, Administrative Law Judge's Ruling Granting Request That Proceedings Be Stayed ("ALJ's Ruling"). Pacific provides the status of its Application 00-01-023 ("Application") and asks that the procedural steps described below be adopted for this proceeding.

I. STATUS OF PACIFIC'S APPLICATION

Pacific filed its Application to facilitate compliance with the conditions of the October 1999 order of the FCC approving the merger between SBC Communications, Inc. ("SBC") and Ameritech Corporation.¹ Pacific's Application asked

¹ In re Application of Ameritech Corp., Transferor, and SBC Communications Inc., Transferee, 14 FCC Rcd. 14,712 (F.C.C. Oct. 8, 1999) (hereinafter "Merger Order").

the Commission for authority to lease space and transfer assets to a separate advanced services affiliate, SBC Advanced Solutions, Inc. ("ASI").

During the briefing stage of this proceeding, the United States Court of Appeals for the District of Columbia Circuit decided Association of Communications Enterprises v. Federal Communications Commission (D.C. Cir. 2001) 253 F. 2d 662, reversing the FCC's determination that the separate advanced services affiliate presumptively could provide advanced services free of Telecommunications Act restrictions. Under the terms of the Merger Order, nine months after the court's decision has become final and non-appealable, SBC is no longer obligated to provide advanced services through a separate advanced services affiliate, although it may choose to do so.² The court's decision became final and non-appealable in April, and the Merger Order authorizes the advanced services operations of ASI to be brought back into Pacific on or after January 9, 2002.

II. Proposed Procedure

At this time, further proceedings and a proposed decision on Pacific's Application are stayed until further notice.³ SBC is evaluating the economic, regulatory and legal implications of reintegrating the advanced services operations of ASI into Pacific and the other SBC incumbent LECs. We do not anticipate a decision on reintegration until September at the earliest, a decision that, as noted above, could not be implemented until January 2002.

We believe that action on the pending application probably will still be required by the Commission. Given the current limited resources of the Commission and the parties, however, we are concerned about recommending any course of action that might turn out not to have been necessary. Accordingly, Pacific requests a further stay until September 1, 2001, with a further status motion to be filed by Pacific no later

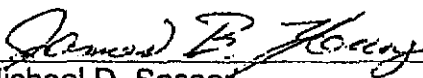
² Merger Order at ¶ 445.

³ ALJ's Ruling, Ordering Paragraph 1.

than August 1, 2001. At the same time, Pacific hereby commits to file a motion with the Commission to lift any stay as soon as SBC makes any determination concerning ASI's status that would require the Commission to proceed to rule on this application.

Dated: May 7, 2001

Respectfully submitted,



Michael D. Sasser

James B. Young

140 New Montgomery Street
Sixteenth Floor
San Francisco, CA 94105
Tel. (415) 542-7552
Fax. (415) 543-2935

Attorneys for Pacific Bell Telephone Company

BEFORE THE PUBLIC UTILITIES COMMISSION

FOR THE STATE OF TEXAS

**CERTIFIED
COPY**

PETITION OF IP COMMUNICATIONS)
COMPANY TO ESTABLISH EXPEDITED) Docket
PUBLIC UTILITY COMMISSION OF) No. 22168
TEXAS OVERSIGHT CONCERNING)
LINE SHARING ISSUES)

COMPLAINT OF COVAD)
COMMUNICATIONS COMPANY AND)
RHYTHMS LINKS, INC., AGAINST)
SOUTHWESTERN BELL TELEPHONE) Docket
COMPANY AND GTE SOUTHWEST,) No. 22469
INC. FOR POST-INTERCONNECTION)
AGREEMENT DISPUTE RESOLUTION)
AND ARBITRATION UNDER THE)
TELECOMMUNICATIONS ACT OF)
1996 REGARDING RATES, TERMS,)
CONDITIONS AND RELATED)
ARRANGEMENTS FOR LINE)
SHARING.)

DEPOSITION OF VON W. MUELLER

AUSTIN, TEXAS

FRIDAY, NOVEMBER 10, 2000

8:37 A.M.



HAAS SHORTHAND REPORTING

COURT REPORTERS/LITIGATION SUPPORT

1801 Avenue of the Stars, Suite 640

Los Angeles, CA 90067

(310) 785-9400

MARIE L. STRICKLAND, RPR, CSR NO. 4645

Exh.
24

1 nongraphic and character based and you are in TIRKS;
2 right?

3 A Not right away.

4 Q What happens?

5 A Security.

6 Q And you have to log in?

7 A Absolutely.

8 Q How do you do that? You have a password that
9 you put in there?

10 A Yes.

11 Q And so you log in with your password and then
12 you are in the system?

13 A Yes.

14 Q Now, do you log in in the morning and just
15 stay on all day or do you come in and out of the system?

16 A In and out.

17 Q Does it time you out if you just are sitting
18 there idle?

19 A Absolutely.

20 Q What is the time out, 10 minutes, 15 minutes?

21 A It's longer than 15 minutes.

22 Q But it will time you out if there is no
23 activity?

24 A That is correct.

25 Q Is the same true for your Tier 2 support guys,

1 is the same kind of access what the CPC folks experience,
2 that is, do they have to log in with a password?

3 A Absolutely.

4 Q And can they stay on all day or do they also
5 get timed out if there is no activity?

6 A Don't know for sure.

7 Q Have you ever tried to log on and gotten a
8 system busy message, saying you can't come in right now,
9 come back later?

10 A System busy, no.

11 Q Have you ever had the experience that
12 sometimes during the day it runs faster and sometimes it
13 runs slower?

14 A Absolutely.

15 Q I am guessing that is a function of how many
16 folks are on the system simultaneously.

17 Does that sound right to you?

18 A One of the criteria.

19 Q I guess it seems to me that if you are trying
20 to design a system like LFACS or TIRKS or whatever with a
21 bunch of users that are spread over the country, it seems
22 to me that there is a couple of decent ways to design
23 access and there is a bad way.

24 I am going to try to see if I am right about
25 this. Seems to me you could design access, first of all,

1 to say, okay, I am going to allow any number of users to
2 access simultaneously and the more that come on
3 potentially the slower it will run, but it will still run.

4 That is one way; right?

5 A I don't know for sure.

6 Q Or you could say I am going to allow 25 people
7 a maximum of 25 people simultaneous access and if the 26th
8 one comes on and tries, I will say I am busy, come back
9 later. You could do it that way, too?

10 A I don't know.

11 Q I am going to represent to you that to me
12 those are both good ways to design access. And the bad
13 way -- I am going to see if you will agree with me or not
14 on this.

15 The bad way will be, okay, I am going to
16 design the access so you can have a limited number of
17 simultaneous users, say 25, and when user 26 comes on or
18 tries to, it will crash the system.

19 That would be a bad way, wouldn't it?

20 A I personally wouldn't like it.

21 Q Have you ever seen the system crash because
22 you logged or tried to log on?

23 A Never.

24 Q All right. Now --

25 MR. PICKERING: Take a 30 second break.

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STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, MARIE L. STRICKLAND, RPR, CSR No. 4645,
certify:

That the foregoing deposition of VON W. MUELLER
was taken before me at the time and place therein set
forth, at which time the witness was put under oath by me;

That the testimony of the witness and all
objections made at the time of the deposition were
recorded stenographically by me and were thereafter
transcribed under my supervision;

That the foregoing deposition is a true record
of the testimony and of all objections made at the time of
the deposition;

I further certify that I am neither counsel
for nor related to any party to said action, nor in any
way interested in the outcome thereof;

IN WITNESS WHEREOF, I have subscribed my name
this 12th day of November, 2000.


MARIE L. STRICKLAND, CSR NO. 4645

BEFORE THE PUBLIC UTILITIES COMMISSION

FOR THE STATE OF TEXAS

**CERTIFIED
COPY**

PETITION OF IP COMMUNICATIONS)
COMPANY TO ESTABLISH EXPEDITED) Docket
PUBLIC UTILITY COMMISSION OF) No. 22168
TEXAS OVERSIGHT CONCERNING)
LINE SHARING ISSUES)

COMPLAINT OF COVAD)
COMMUNICATIONS COMPANY AND)
RHYTHMS LINKS, INC., AGAINST)
SOUTHWESTERN BELL TELEPHONE) Docket
COMPANY AND GTE SOUTHWEST,) No. 22469
INC. FOR POST-INTERCONNECTION)
AGREEMENT DISPUTE RESOLUTION)
AND ARBITRATION UNDER THE)
TELECOMMUNICATIONS ACT OF)
1996 REGARDING RATES, TERMS,)
CONDITIONS AND RELATED)
ARRANGEMENTS FOR LINE)
SHARING.)

DEPOSITION OF DENNIS SCHUESSLER

AUSTIN, TEXAS

NOVEMBER 7, 2000

9:30 A.M.



HAAS SHORTHAND REPORTING

COURT REPORTERS/LITIGATION SUPPORT

1801 Avenue of the Stars, Suite 640
Los Angeles, CA 90067
(310) 785-9400

MARIE L. STRICKLAND, RPR, CSR NO. 4645

EXHIBIT

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1 Windows interface, that information then is directed to
2 one of the SSC operation support systems; right?

3 A To access information from one of the systems,
4 yes.

5 Q Yes. And so in that sense, it's a means to
6 access or a front end to a system; is that right?

7 A Yes.

8 Q And it operates on a Windows based Graphical
9 User Interface?

10 A Yes.

11 Q And so can we, you understand the term front
12 end as we are using it to mean a means to get access to a
13 system as opposed to a system itself?

14 A Yes.

15 Q So BOP GUI is a front end to SOLID, is that
16 right?

17 A Yes.

18 Q Does it interface with or speak to any other
19 system besides SOLID?

20 A No.

21 Q Is there any limit on the number of
22 simultaneous BOP GUI accesses that you are aware of by
23 CLECs?

24 A Not that I am aware of.

25 Q You have had some experience with I take it

1 with databases; right?

2 A Yes.

3 Q Is SOLID at least part of the functionality a
4 database?

5 A That is my understanding.

6 Q And just on a generic level, am I right that
7 there are two good ways and one bad way to control access
8 to databases, simultaneous access attempts?

9 Two good ways are, you build the incoming pipe
10 big enough so that you are never going to care about how
11 many people are trying to use it. You have enough
12 capacity to handle any conceivable number of simultaneous
13 requests.

14 That is one way. You have to say --

15 A Yes.

16 Q Another good way to do it is to say, I will
17 have a certain limit and when that limit is reached, I
18 will give the next attempting user some kind of busy
19 signal. You will deny access because the total number of
20 simultaneous accesses has been reached.

21 You can do it that way, too; right?

22 A Yes.

23 Q But in my terminology, a bad way to do that
24 would be to say, I am not going to build unlimited
25 simultaneous access in. I am going to put some limited

1 number in there, but I won't tell anybody what it is, so
2 that when the N plus one requester comes in, it will crash
3 my system. That wouldn't be a smart way to design the
4 access capability of the database, would it?

5 A No.

6 Q Are you aware of any database you have ever
7 dealt with inside SWIBT that has door No. 3 as its access
8 control mechanism, that is that there is a limited number
9 of accesses that the system will support, and if that
10 number is exceeded, the system will crash?

11 A Not that are built intentionally to crash, no.

12 Q And how does SOLID deal with this issue, if
13 you know? That is, BOP GUI is a front end of SOLID.
14 Given that it's Web based, does it simply say, the more
15 users I get, the slower the access is, but there is no
16 denial or how does that work?

17 A In the case of the BOP GUI, that would be the
18 case.

19 Q So you just get slower responses coming back
20 from the system if there is -- the more users there are,
21 the somewhat slower the response might be; right?

22 A Correct.

23 Q You don't get busy signals, meaning you can't
24 get on, you just simply get -- that isn't the way that IT
25 has designed that access; right?

1 A It has not been designed that way, but
2 inherent with Internet --

3 Q Oh, sure.

4 A -- access.

5 Q Yes, there you go. The Internet, Worldwide
6 Web aside, the way BOP GUI talks to SOLID has not been
7 designed to say once you get to a certain number, all you
8 get is busy signals back to the requester?

9 A No.

10 Q That makes sense.

11 I take it you have been on core teams before
12 the line sharing core team; is that right?

13 A I assume the team that I was on for the XDSL
14 advanced certain Plan of Record, cap P, Plan of, cap R,
15 Record.

16 Q And that is, are you referring to the Plan of
17 Record that the company was performing pursuant to the
18 merger conditions?

19 A Correct.

20 Q And this is the advanced services one as
21 opposed to the uniform and enhanced one?

22 A Correct.

23 (A discussion was held off the record.)

24 Q BY MR. BOWEN: All right. I take it you have
25 heard the term marketing services description, or MSD?

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STATE OF CALIFORNIA)
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COUNTY OF LOS ANGELES)

I, MARIE L. STRICKLAND, RPR, CSR No. 4645,
certify:
That the foregoing deposition of DENNIS
SCHUESSLER was taken before me at the time and place
therein set forth, at which time the witness was put under
oath by me;

That the testimony of the witness and all
objections made at the time of the deposition were
recorded stenographically by me and were thereafter
transcribed under my supervision;

That the foregoing deposition is a true record
of the testimony and of all objections made at the time of
the deposition;

I further certify that I am neither counsel
for nor related to any party to said action, nor in any
way interested in the outcome thereof;

IN WITNESS WHEREOF, I have subscribed my name
this 11th day of November, 2000.


MARIE L. STRICKLAND, CSR NO. 4645

BEFORE THE PUBLIC UTILITIES COMMISSION

FOR THE STATE OF TEXAS

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AND ARBITRATION UNDER THE)
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1996 REGARDING RATES, TERMS,)
CONDITIONS AND RELATED)
ARRANGEMENTS FOR LINE)
SHARING.)

DEPOSITION OF ROBERT LONG

AUSTIN, TEXAS

TUESDAY, NOVEMBER 7, 2000

1:25 P.M.



HAAS SHORTHAND REPORTING

COURT REPORTERS/LITIGATION SUPPORT

1801 Avenue of the Stars, Suite 640
Los Angeles, CA 90067
(310) 785-9400

MARIE L. STRICKLAND, RPR, CSR NO. 4645

EXHIBIT

26

1 Q Well, what system are you running, what
2 operating system?

3 A I don't know.

4 Q But is it a graphical interface or is it like
5 a character based DOS like interface our screen to SWITCH?

6 A It's not DOS.

7 Q Do you see little icons and that kind of thing
8 on the screen?

9 A Yes.

10 Q Do you have to -- is it up all the time or do
11 you have to --

12 A I have to --

13 Q You have to log in?

14 A Yes, I have to log in.

15 Q When you come in the morning, do you just log
16 in and stay logged in for the day or do you log in and off
17 as the need arises?

18 A Log in and off as the need arises.

19 Q Logging on involves, what, putting in a
20 password?

21 A Yes.

22 Q All right. Is that the same way that the
23 SWITCH DBM folks operate, do you know?

24 A Yes.

25 Q Do you know whether or not anybody logs on as

1 a matter of course and just stays on the system for the
2 day?

3 A No, you can't. Times you out.

4 Q What is the timeout period, do you know?

5 A Ten minutes on me.

6 Q All right. Do you know whether there is any
7 kind of limit on simultaneous access into SWITCH?

8 In other words, do you ever get a busy signal
9 in effect?

10 A Busy signal, no.

11 Q Does it tend to just run slower when you get
12 more users logged; is that how it works?

13 A Yes.

14 Q Kind of like the net. All right.

15 Have you ever had it be the case that when you
16 logged on, you crashed the system?

17 A No.

18 Q That would be a bad way to design a database,
19 wouldn't it?

20 A Yes, sir.

21 Q All right. Now, I think you said that CLECs
22 don't access SWITCH.

23 Do you mean that they don't access SWITCH for
24 write access?

25 A They don't access SWITCH at all.

1 Q Not even for read access?

2 A Correct.

3 Q Are you aware of any technical reason why

4 CLECs could not access SWITCH for read only access?

5 Leaving policy reasons aside that SBC might

6 not want them to, are you aware of any technical reason as

7 a SWITCH SME as to why they couldn't if they were

8 permitted to?

9 A No. I don't know the technical side of the

10 business.

11 Q But you are not aware of any reason sitting

12 here today as to why CLECs could not get read only access

13 to SWITCH; is that right?

14 A That is right.

15 Q And am I right that SWITCH is used for more

16 than line sharing, that it's used for -- well, certainly

17 it's used for line sharing with the upgrade; right?

18 A Yes.

19 Q It's also used, I take it, for provisioning of

20 unbundled network elements; is that right?

21 A Yes.

22 Q Is it also used for SBC retail services like

23 POTS?

24 A Yes.

25 Q Anything that requires the inventorying and

1 assignment of the list of equipment that you gave me
2 before; right?

3 A Yes.

4 Q Needs to use SWITCH?

5 A Yes.

6 Q Before you came here today, were you asked to
7 provide any documents in response to our request for
8 documents from SBC?

9 A Yes.

10 Q Do you recall what documents you provided in
11 response to that request -- I am sorry, do you recall how
12 the request was conveyed to you, what you were asked for?

13 I don't really care to whom, to you or
14 somebody came to you and said or sent you an e-mail saying
15 I need X.

16 A Yes.

17 Q What was the X, do you recall?

18 A SWITCH documentation that was changed due to
19 line sharing.

20 Q And what did you supply in response to that?

21 A A job aide that I created.

22 Q Do you remember the name of that document?

23 A SWITCH job aide.

24 Q Well, that is what it's called, SWITCH job
25 aide. All right. And that is something that you wrote;

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STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, MARIE L. STRICKLAND, RPR, CSR No. 4645,
certify:
That the foregoing deposition of ROBERT LONG
was taken before me at the time and place therein set
forth, at which time the witness was put under oath by me;
That the testimony of the witness and all
objections made at the time of the deposition were
recorded stenographically by me and were thereafter
transcribed under my supervision;
That the foregoing deposition is a true record
of the testimony and of all objections made at the time of
the deposition;
I further certify that I am neither counsel
for nor related to any party to said action, nor in any
way interested in the outcome thereof;
IN WITNESS WHEREOF, I have subscribed my name
this 10th day of November, 2000.


MARIE L. STRICKLAND, CSR NO. 4645

BEFORE THE PUBLIC UTILITIES COMMISSION

FOR THE STATE OF TEXAS

**CERTIFIED
COPY**

PETITION OF IP COMMUNICATIONS)
COMPANY TO ESTABLISH EXPEDITED) Docket
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AND ARBITRATION UNDER THE)
TELECOMMUNICATIONS ACT OF)
1996 REGARDING RATES, TERMS,)
CONDITIONS AND RELATED)
ARRANGEMENTS FOR LINE)
SHARING.)

DEPOSITION OF DEBORRAH STIMPFEL

AUSTIN, TEXAS

NOVEMBER 8, 2000

2:22 P.M.



HAAS SHORTHAND REPORTING

COURT REPORTERS/LITIGATION SUPPORT

1801 Avenue of the Stars, Suite 640

Los Angeles, CA 90067

(310) 785-9400

MARIE L. STRICKLAND, RPR, CSR NO. 4645

EXHIBIT

27

1 A Here it is, page, look at Page 10. That is
2 the schedule.

3 Q And that is Bates stamped 013710; right?

4 A Yes.

5 Q Okay.

6 A Through the MI log is discussed through 713.

7 Q And that is manual intervention is MI?

8 A Yes.

9 Q If I look at this off the record I can tell
10 what happens at the NOC to process and resolve these
11 orders that fell out; right?

12 A You could look at this -- ask that question
13 again, please.

14 Q Yes. If I read this, not realtime right now,
15 but later I can tell from looking at this what is supposed
16 to happen at the NOC to process an order that falls out
17 that requires manual intervention; right?

18 A Hopefully everything has been captured, yes.

19 Q Okay.

20 A But it's a work in progress.

21 Q I am just trying to see what the target is
22 here. All right.

23 Now, do you have any idea about how many total
24 people at the NOC can access these SOLID screens?

25 A No.

1 Q At the various NOCs I mean? Are you aware of
2 any limit on the number of simultaneous accesses into the
3 SOLID system through this method?

4 A No.

5 Q Have you ever seen or heard of the system
6 crashing because of too many simultaneous uses?

7 A No.

8 Q That would be a bad way to design system,
9 wouldn't it?

10 A Yes.

11 Q If it crashed because of too many simultaneous
12 accesses; right?

13 A Yes.

14 Q Now, there are some documents that I am not
15 sure if she has available to her. I can show you all.

16 These are ones that were sent over, we got
17 today that were sent over yesterday to Casey Gentz,
18 C-a-s-e-y, G-e-n-t-z. It's starts with, I am looking for
19 Bates 11660. It's the fifth supplemental response to our
20 second set of data requests dated November 7th.

21 On the back in that package there is behind,
22 well, the Bates stamp page --

23 MR. ASHBY: 11660.

24 MR. BOWEN: Yes. Now, you are down, Ms. Stimpfel,
25 as the person responsible for this part of the data

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STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, MARIE L. STRICKLAND, RPR, CSR No. 4645,
certify:

That the foregoing deposition of DEBORRAH
STIMPFEL was taken before me at the time and place therein
set forth, at which time the witness was put under oath by
me;

That the testimony of the witness and all
objections made at the time of the deposition were
recorded stenographically by me and were thereafter
transcribed under my supervision;

That the foregoing deposition is a true record
of the testimony and of all objections made at the time of
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I further certify that I am neither counsel
for nor related to any party to said action, nor in any
way interested in the outcome thereof;

IN WITNESS WHEREOF, I have subscribed my name
this 12th day of November, 2000.


MARIE L. STRICKLAND, CSR NO. 4645

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BEFORE THE PUBLIC UTILITIES COMMISSION
FOR THE STATE OF TEXAS

PETITION OF IP COMMUNICATIONS
COMPANY TO ESTABLISH EXPEDITED
PUBLIC UTILITY COMMISSION OF TEXAS
OVERSIGHT CONCERNING LINE SHARING
ISSUES

)
)
) Docket
) No. 22168
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)

**CERTIFIED
COPY**

COMPLAINT OF COVAD COMMUNICATIONS
COMPANY AND RHYTHMS LINKS, INC.,
AGAINST Southwestern Bell Telephone
COMPANY AND GTE SOUTHWEST, INC. FOR
POST-INTERCONNECTION AGREEMENT
DISPUTE RESOLUTION AND ARBITRATION
UNDER THE TELECOMMUNICATIONS ACT OF
1996 REGARDING RATES, TERMS,
CONDITIONS AND RELATED ARRANGEMENTS
FOR LINE SHARING.

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Volume I
Pages 1 to 107

DEPOSITION OF DON BERGQUIST

Austin, Texas

November 13, 2000



HAAS SHORTHAND REPORTING
COURT REPORTERS/LITIGATION SUPPORT
1801 Avenue of the Stars, Suite 640
Los Angeles, CA 90067
(310) 785-9400

George A. Haas, CSR 5939

EXHIBIT
29

11:36:04 1 Whatever they cannot solve they shove to the Tier 2
2 people in headquarters?

3 A. And I did Tier 2 in headquarters.

4 Q. Do you happen to know, since you were
11:36:14 5 Tier 2 support or the equivalent, when TIRKS was
6 first deployed in the five state SWBT region?

7 A. I was not involved at that time.

8 Q. Before you got there, right, before
9 '78?

11:36:33 10 A. Yes.

11 Q. It was already installed by then?

12 A. Yes.

13 Q. I want you to think back to that time.
14 You are sitting at your desk in St. Louis.

11:36:44 15 Did you have -- I'm curious about the
16 access. Was it like a terminal, a VT100 terminal.
17 I guess it was before Windows came along. What was
18 the terminal?

19 A. Dataspeed 40 com terminal.

11:37:02 20 Q. Did you have to log on when you came
21 in each morning?

22 A. Yes.

23 Q. With some kind of password?

24 A. Yes.

11:37:10 25 Q. Did you stay logged on the entire day

11:37:16 1 or would you go on and off as needed?

2 A. I would go on and off the system as
3 needed.

4 Q. Would it, if you recall, in fact, time
11:37:26 5 you out if there was no activity and basically
6 knock you off if a certain amount of time had
7 passed, do you remember?

8 A. At that point in time, as best I
9 recollect, it didn't. It knocked you off
11:37:39 10 overnight, but it didn't have the delays we have
11 now. I don't think computers were that interested
12 in security.

13 Q. Is there a time out now on it?

14 A. Yes.

11:37:50 15 Q. What is it, like 10, 15 minutes?

16 A. Actually most of our time outs are set
17 to an hour.

18 Q. That's for most systems, you mean or
19 just for TIRKS?

11:37:59 20 A. I'm not familiar with TIRKS now, but
21 for WFA.

22 Q. WFA has an hour time out?

23 A. Yes.

24 Q. When you were accessing TIRKS, did you
11:38:11 25 have the experience that some of the time the

11:38:13 1 system ran a little slower than other times or was
2 it always pretty much the same time?
3 A. Most systems during the day have peak
4 periods, and there were some times.
11:38:32 5 Q. That sounds like the system is going
6 to allow whoever has the valid password access, and
7 then the more people you get on there doing things
8 with a common resource, then it's going to slow to
9 some degree?
11:38:47 10 A. That's true.
11 Q. Did you ever have it happen when you
12 are accessing TIRKS in headquarters that when you
13 logged on, your log on caused it to crash?
14 A. No.
11:39:01 15 Q. Now, this CIMAP SSC that you began to
16 work on in 1995?
17 A. Yes.
18 Q. That also was in St. Louis; is that
19 right?
11:39:11 20 A. Yes.
21 Q. Were you like Tier 2 support for that
22 system?
23 A. I was second tier.
24 Q. And that would cover the five state
11:39:22 25 SWBT region?

11:58:50 1 in different colors. Messages come back in other
2 colors. It helps you see some of the fields
3 better.

4 Q. What do you mean by a protected field?

11:59:02 5 A. There are certain fields that cannot
6 be updated on a screen, different format. I assume
7 if you talked to others, you realize formats
8 differ. There are certain fields that cannot be
9 updated, so they will be in a different color.

11:59:36 10 Q. Your group at headquarters that is the
11 Tier 2 support for WFA, do they have read only
12 access to WFA or can they actually write data to
13 there as well?

14 A. They can write.

11:59:56 15 Q. And what do you call the workgroups
16 they are supporting? Is there one or more than one
17 workgroup?

18 A. We call them, refer to them as the
19 centers, but they are the overall control centers I
12:00:09 20 spoke of earlier.

21 Q. Let me ask you the same question.
22 When your people log on, they have to have a
23 password when they log on in the morning?

24 A. Yes.

12:00:23 25 Q. And I think you said the system

12:00:29 1 currently times you out in an hour?

2 A. Yes.

3 Q. And is it the same situation as you

4 talked about with CIMAP and TIRKS, that at various

12:00:40 5 times of the day with more simultaneous access and

6 logging on to the system is slows down somewhat?

7 A. Yes, it can.

8 Q. Have you ever had the experience with

9 either CIMAP, TIRKS or WFA that when you try to log

12:01:04 10 on you get a system busy message?

11 A. Can you define what you mean by a

12 symptom busy?

13 Q. A basic signal basically saying I

14 can't log you on right now because I have too many

12:01:23 15 users on the system.

16 A. No, I have not.

17 Q. Have you ever had happen with WFA that

18 when you attempt to log on and give your password,

19 that you cause the system to crash?

12:01:35 20 A. No, I have not.

21 Q. Have you ever heard of that happening

22 when anybody tried to log on?

23 A. No.

24 Q. Caused a system crash in a log on

12:01:45 25 attempt?

12:01:46 1 A. I have not heard it.

2 Q. In terms of system access, it seems to
3 me there is -- you have a system with a whole bunch
4 of users that are going to want to get access to it
12:01:56 5 at various times. You don't know which one in
6 particular is going to try at any particular time.
7 You don't know how many at once for sure.

8 That's the general notion here of
9 these systems. You are going to have a bunch of
12:02:10 10 different locations that can access these system
11 using their own passwords and can do it, in effect,
12 simultaneously?

13 A. Yes.

14 Q. It seems to me that there are a couple
12:02:21 15 of ways you could design that simultaneous access
16 that is okay and one that is pretty bad. I want to
17 get your view on this. I want you to keep in mind,
18 TIRKS, CIMAP and WFA as all the Telcordia systems.

19 It seems to me you could say okay, I
12:02:42 20 can't have the system run perfectly. No matter how
21 many users I have, it's going to have to slow down.
22 We'll have to control access somehow. One way you
23 can do this is say okay, I'll let any valid user on
24 with a password, and I'll let any number of valid
12:02:59 25 users on with passwords, but recognize that the

12:03:02 1 more of you that get on it it's going to run
2 somewhat slower because you are all trying for
3 access at once.

4 That's one way can could design it,
12:03:12 5 right?

6 A. Okay.

7 Q. Another way is okay, I'll let
8 simultaneous users on, I don't care which ones.
9 But after a certain number, because I want to
12:03:22 10 maintain a certain speed of response, I'll return
11 system busy or busy signals; basically saying, for
12 example, you can have 100 on at once, if 101 wants
13 to access it, I'll give him a busy signal. That
14 will maintain some minimum throughput for the first
12:03:41 15 100.

16 You could do it that way?

17 A. You could.

18 Q. It sounds like what Telcordia has done
19 is chosen door No. 1. I'll let any number of users
12:03:51 20 on with passwords, and the effect of that will be
21 it will run somewhat slower; the more you get on,
22 the speed of response may decrease a little bit,
23 but I won't just return system busy signals.

24 Is that what they have done?

12:04:05 25 A. That's true.

12:04:06 1 Q. But it seems to me door No. 3 is the
2 bad door, as you could say. Well, I want to let
3 simultaneous access happen, but I only want to
4 allow 100 users. If user No. 101 tries to log on,
12:04:25 5 he'll crash the system.

6 That would be a stupid way to design
7 an access and interface, wouldn't it?

8 A. I wouldn't think I would want it
9 designed it that way.

12:04:37 10 Q. You wouldn't know if you were the
11 cause of the entire system crashing, and that would
12 not be a very robust way to design a system, would
13 it?

14 A. No, it wouldn't.

12:04:45 15 Q. I wanted to make sure I was on the
16 same page as you were on just access design. Okay.

17 We have chatted with the TIRKS
18 gentleman and other systems SMEs about where the
19 work groups are trying to support with Tier 1 and
12:05:13 20 Tier 2 support.

21 What we learned from them, I don't
22 recall which system is which, but you, I take it,
23 have 13 state responsibility?

24 A. 12. SNET I don't have.

12:05:23 25 Q. They are kind you out there, their own

1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF LOS ANGELES)

4 I, George A. Haas, Certified Shorthand
5 Reporter, duly qualified in and for the State of
6 California, do hereby certify there came before me
7 the deponent herein, who was by me duly sworn to
8 testify to the truth and nothing but the truth
9 concerning the matters in this cause.

10 I further certify that the foregoing
11 transcript is a true and correct transcript of my
12 original stenographic notes.

13 I further certify that I am neither
14 attorney or counsel for, nor related to or employed
15 by any of the parties to the action in which this
16 deposition is taken; and furthermore, that I am not
17 a relative or employee of any attorney or counsel,
18 employed by the parties hereto or financially
19 interested in said action.

20 IN WITNESS WHEREOF, I have hereunto
21 set my hand this 14th day of November 2000.

22

23

24

25


GEORGE A. HAAS, CSR 5939

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BEFORE THE PUBLIC UTILITIES COMMISSION

FOR THE STATE OF TEXAS

**CERTIFIED
COPY**

PETITION OF IP COMMUNICATIONS)
COMPANY TO ESTABLISH EXPEDITED)
PUBLIC UTILITY COMMISSION OF)
TEXAS OVERSIGHT CONCERNING)
LINE SHARING ISSUES)

Docket
No. 22168

COMPLAINT OF COVAD)
COMMUNICATIONS COMPANY AND)
RHYTHMS LINKS, INC., AGAINST)
SOUTHWESTERN BELL TELEPHONE)
COMPANY AND GTE SOUTHWEST,)
INC. FOR POST-INTERCONNECTION)
AGREEMENT DISPUTE RESOLUTION)
AND ARBITRATION UNDER THE)
TELECOMMUNICATIONS ACT OF)
1996 REGARDING RATES, TERMS,)
CONDITIONS AND RELATED)
ARRANGEMENTS FOR LINE)
SHARING.)

Docket
No. 22469

DEPOSITION OF TIMOTHY WILLIAM STEVENS

AUSTIN, TEXAS

THURSDAY, NOVEMBER 9, 2000

2:20 P.M.



HAAS SHORTHAND REPORTING
COURT REPORTERS/LITIGATION SUPPORT

1801 Avenue of the Stars, Suite 640
Los Angeles, CA 90067
(310) 785-9400

MARIE L. STRICKLAND, RPR, CSR NO. 4645

Exh 28

1 MR. LEAHY: All right.

2 (A recess was taken.)

3 Q BY MR. BOWEN: So keep in mind, come back to
4 the FACS screen on your PC. You can choose to go into
5 LFACS, right, from there?

6 A When I log into FACS, it gets back to -- not
7 really, I don't really differentiate going into LFACS as
8 going into SOAC necessarily.

9 Q Okay.

10 A But I can, once I log into FACS, I can do SOAC
11 stuff and I can do LFACS stuff.

12 Q Okay.

13 A I hope that answers your question.

14 Q That does.

15 Have you ever looked into the FACS system
16 getting access to both LFACS and SOAC or attempting to and
17 being denied access because the system was busy?

18 A Just by logging in you mean?

19 Q Uh-huh.

20 A No.

21 Q Have you ever tried to log in and had the
22 system crash because you were trying to log in?

23 A Not that I recall, no.

24 Q Have you ever had the experience that the
25 interface or the data across the interface sometimes runs

1 faster and sometimes slower?

2 A Sure.

3 Q And is that because of the relative number of
4 users trying to do simultaneous access to the system?

5 A I think that is one of many reasons.

6 Q Let me suggest to you that there are two ways
7 to design system or database access that are acceptable
8 and one way that is not. Let's see if you will agree with
9 me or not.

10 If you have a database and system that you
11 want to give some number of users access to, you could
12 design the inbound capacity, if you will, so large that
13 you would never get a slow down or any kind of rejection,
14 right, just a huge inbound capacity for access?

15 A That is one way you could do it.

16 Q Pretty expensive.

17 A Yes.

18 Q There are three ways. Another way you could
19 do it is, okay, I am going to let everybody in that wants
20 to come in, but the more that come in, the slower the
21 access is going to be because of the simultaneous uses of
22 the access; right?

23 A I would think so, yeah.

24 Q Or you could design to it say, okay, I will
25 let a certain number of users in, I am going to use an

1 example of 100 simultaneously, and above that, I will deny
2 access with a busy signal so that, you know, try again
3 later kind of thing. You could do it that way, too?

4 A Sure, you could.

5 Q A fourth way, and this is the way I am going
6 to suggest to you is bad, is that there would be a limited
7 number of users, again say 100. And if you had 100 users
8 on and user 101 attempted access, it would crash the
9 system. That would be a bad way to design the access,
10 wouldn't it?

11 A I agree with that.

12 Q Have you ever worked with any system inside
13 SWIBT that has door No. 4 as its access control mechanism,
14 meaning a certain number of users above which if one more
15 attempt is made, it will crash the system?

16 A I have never worked with any system such as
17 that, no.

18 Q Do you believe that the FACS system access
19 corresponds best to door No. 3, which is the -- I am
20 sorry, door No. 2, which is the simultaneous access that
21 slows down the more users you get?

22 A I don't know if that is true.

23 Q But you have never gotten a so-called busy
24 signal yourself; isn't that --

25 A No, but I don't know if that is how it's

1 designed, though.

2 Q Fair enough.

3 Before you came here today, were you asked by
4 anybody at SBC to provide any documents that might be
5 responsive to written questions that we had asked of SBC
6 in this case?

7 A Yes.

8 Q And did you provide any such documents?

9 A Yes.

10 Q Can you give me an idea of what documents
11 those were?

12 A I have provided Telcordia documents and M&P
13 type documents.

14 Q Which Telcordia documents do you recall
15 providing?

16 A A large number of them, but documents related
17 to line sharing, Telcordia documents related to
18 line sharing.

19 Q Are you the source of some of those I showed
20 you today that you had but had not read?

21 A I am not sure --

22 Q Okay.

23 A -- if I was that source.

24 Q Okay.

25 A Because many other people have those

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STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, MARIE L. STRICKLAND, RPR, CSR No. 4645,
certify:

That the foregoing deposition of TIMOTHY
WILLIAM STEVENS was taken before me at the time and place
therein set forth, at which time the witness was put under
oath by me;

That the testimony of the witness and all
objections made at the time of the deposition were
recorded stenographically by me and were thereafter
transcribed under my supervision;

That the foregoing deposition is a true record
of the testimony and of all objections made at the time of
the deposition;

I further certify that I am neither counsel
for nor related to any party to said action, nor in any
way interested in the outcome thereof;

IN WITNESS WHEREOF, I have subscribed my name
this 12th day of November, 2000.


MARIE L. STRICKLAND, CSR NO. 4645